



#9
10/24/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
NOZAKI

Confirmation No.: 5463

Application No.: 09/785,461

Group Art Unit: 3634

Filed: February 20, 2001

Examiner: Gregory J. Strimbu

Title: TRIM AND GLASS RUN ATTACHMENT STRUCTURE IN VEHICLE DOOR

Date: October 16, 2002

* * * * *

RESPONSE

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

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In reply to the Office Action dated October 8, 2002, please consider the following remarks:

REMARKS

In response to the Election of Species Requirement dated January 28, 2002, Applicant filed a Response on February 25, 2002 that elected Species I for prosecution on the merits.

In response to the Office Action dated May 23, 2002, Applicant filed a Response on August 2, 2002 that complied with the Rules under 37 C.F.R. §1.111.

In the Office Action dated October 8, 2002, the Examiner asserts that our response filed on August 2, 2002, is not fully responsive to the prior Office Action because the Applicant has failed to set forth which species claims 10 and 11 read on as required in the Restriction Requirement of February 25, 2002. The Examiner specifically refers to 37 C.F.R. §1.111. However, §1.111 does not require that the Applicant set forth which species new claims read on.

However, in order to advance prosecution, Applicant notes that new claims 10 and 11 read on the elected Species I.

Applicant respectfully requests that the Examiner proceed to consider the response filed on August 2, 2002 in reply to the prior Office Action dated May 23, 2002.

Should there be any questions or concerns regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,

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